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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16 v.)
17 ANGEL CLARA-MENDEZ,)
18 Defendant.)
19 _____)

No. CR 12-654 EJD

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING DATE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

20
21 STIPULATION

22 The United States, by and through Special Assistant United States Attorney Meredith J.
23 Edwards, and defendant Angel Clara-Mendez, by and through Assistant Federal Public Defender
24 Diana A. Garrido, hereby stipulate that, with the Court's approval, the status hearing currently set
25 for Monday, November 5, 2012, at 1:30 p.m., shall be continued to Monday, December 3, 2012,
26 2012, at 1:30 p.m.

27 The continuance is requested to provide both government and defense counsel with
28 additional time to review discovery and to negotiate an appropriate resolution. The continuance

1 would provide both parties with the reasonable time necessary for effective preparation.
2 Accordingly, both parties respectfully request that the time between November 5, 2012 and
3 December 3, 2012 be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and
4 (B)(iv).

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6 Dated: November 1, 2012

/s/
MEREDITH J. EDWARDS
Special Assistant United States Attorney

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9 Dated: November 1, 2012

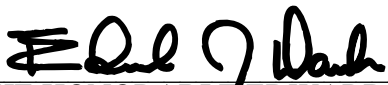
/s/
DIANA A. GARRIDO
Assistant Federal Public Defender

~~PROPOSED~~ ORDER

Pursuant to agreement and stipulation of the parties, the Court HEREBY ORDERS that the time between November 5, 2012 and December 3, 2012 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), that the failure to grant the requested continuance would unreasonably deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Furthermore, the Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: 11/5/2012



THE HONORABLE EDWARD J. DAVILA
United States District Judge